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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/663,021	09/15/2000	Kai Yang	D412	1824

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EXAMINER

CLARK, SHEILA V

ART UNIT	PAPER NUMBER
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2815

DATE MAILED: 05/29/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.  
09/663,021

Applicant(s)  
Yang et al

Examiner  
Sheila V. Clark

Art Unit  
2815



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_\_.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claims \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. § 119

- 13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- a) ☐ All b) ☐ Some\* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \*See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

## Attachment(s)

- 15) ☒ Notice of References Cited (PTO-892) 18) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 16) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 19) ☐ Notice of Informal Patent Application (PTO-152)
- 17) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s). \_\_\_\_\_ 20) ☐ Other:

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The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

Claims 1-4 are rejected under 35 U.S.C. 102(a) as being anticipated by Zhao et al.

Zhao et al shows a first barrier layer 28 disposed in a dielectric layer lining, a conductive layer 29 disposed in said barrier layer and a second barrier layer 34 disposed over said layers and totally enclosing said conductive layer. The material recited in the claims are further taught by Zhao et al ( see col. 8, line 33, col. 4, lines 63-64, col. 10, line 29, col. 8, lines 23).

Claims 7-10, 13-16, are rejected under 35 U.S.C. 102(a) as being anticipated by Zhao et al.

Zhao et al shows a first barrier layer 28 disposed in a dielectric layer lining, a conductive layer 29 disposed in said barrier layer and a second barrier layer 34 disposed over said layers and totally enclosing said conductive layer. The material recited in the claims are further taught by Zhao et al ( see col. 8, line 33, col. 4, lines 63-64, col. 10, line 29, col. 8, lines 23). The steps of providing, forming, removing and depositing are deemed to be inherently taught by Zhao et al.

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person

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having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 5, 6, 11, 12, 17, 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Zhao et al in view of Dubin et al.

The claims from which claims 5, 6, 11, 12, 17, 18 depend have been discussed above except for the first and second barrier layer formed of the same materials and of the same thickness.

As Zhao et al fails to limit the barrier layer material to any one particular material but instead teaches that the barrier material may be chosen from a variety of well known barrier material it is therefore suggested that the material of the first and second barrier layers may be the same if desired.

Further as Zhao et al fails to express a particular thickness of the second barrier layer but refers to a particular application for deposition technique which is related to the Dubin et al patent which teaches forming said layer in the range of thickness as those discussed by Zhao et al with regard to the first barrier layer. Therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made to form the second barrier layer of the same thickness as the first. The ordinary artisan would have been motivated to modify Zhao et al because Zhao et al suggests use of the techniques taught by Dubin et al which would include similar layer thickness of the second layer to that of the first.

Claims 1-18 are rejected.

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Wagganer, Joshi et al, Nariman et al and Zheng et al are cited to show first diffusion layers having second barrier layers thereon.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Examiner S.V. Clark whose telephone number is (703) 308-4924.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Eddie Lee, can be reached on (703) 308-1690. The fax phone number for the organization where this application or proceeding is assigned is (703) 308-7722 or 7724.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.

March 5, 2002

  
SHEILA V. CLARK  
PRIMARY EXAMINER